

U.S. Application Serial No.: 08/102,390
Second Communication Regarding Status of Application

EXHIBIT D

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CELL GENESYS, INC.,

Plaintiff,

v.

APPLIED RESEARCH SYSTEMS ARS
HOLDING, N.V.,

Defendant.

MAGISTRATE JUDGE *Dein*

05-12448 RWZ

Civil Action No. 04-1407 (JDB)

ORDER

Upon consideration of defendant's renewed motion to transfer this case to the United States District Court for the District of Massachusetts, and the entire record herein, and for the reasons stated in the memorandum opinion issued on this date, it is hereby

ORDERED that defendant's motion is **GRANTED**; and it is further

ORDERED that this case is **TRANSFERRED** to the United States District Court for the District of Massachusetts.

/s/ John D. Bates
JOHN D. BATES
United States District Judge

Dated: November 14, 2005

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